

Notice of Allowability

Application No.

10/775,620

Examiner

Nelson D. Hernandez

Applicant(s)

LEE ET AL.

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 20 August 2007.
2. ☒ The allowed claim(s) is/are 2-5 (Renumbered as 1-4 respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



LIN YE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges the amended claims filed on August 20, 2007.

Claims 2 and 3 have been amended. **Claim 1** has been canceled.

2. The Examiner acknowledges the Translation of the Korean Patent Application No. 2003-8141 to perfect the priority claim of the present application and antedate the effective U.S. filing date of the prior art used to reject claims 1, 2 and 5 under 35 USC § 102(e).

Response to Arguments

3. Applicant's arguments, see page 4-6, filed August 20, 2007, with respect to **claims 2 and 5** have been fully considered and are persuasive. The rejections of **claims 2 and 5** have been withdrawn.

Allowable Subject Matter

4. **Claims 2-5** (Renumbered as 1-4 respectively) are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 2 (Renumbered as 1), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest, including all the elements of the present claim, calculating a lower limit value of a

Art Unit: 2622

compressed file size wherein the lower limit value of the compressed file size corresponds to a focus value of the object at a compression rate and a resolution set by the user; and determining that the amount of exposure is not appropriate and shakiness is present when the size of a compressed file of image data obtained from the photographing of the object is smaller than the lower limit value of the compressed file size.

Regarding claim 3 (Renumbered as 2), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest, including all the elements of the present claim, calculating a lower limit value of a compressed file size wherein the lower limit value of the compressed file size corresponds to a focus value of the object at a compression rate and a resolution set by the user; and determining that the amount of exposure is not appropriate and shakiness is present when the size of a compressed file of image data obtained from the photographing of the object is smaller than the lower limit value of the compressed file size; wherein assuming that X is the focus value of the object, N is the number of samples, X_i is the focus value of an i -th sample, Y_i is the size of a compressed file size of the i -th sample at the compression rate and resolution set by the user,

$$a \text{ is } \frac{\left(\sum_{i=1}^N Q X_i \right) \left(\sum_{i=1}^N Q Y_i \right) - N \left(\sum_{i=1}^N Q X_i Y_i \right)}{\left(\sum_{i=1}^N Q X_i \right)^2 - N \left(\sum_{i=1}^N Q X_i^2 \right)}, \text{ and } b \text{ is } \frac{\left(\sum_{i=1}^N Q Y_i \right) \left(\sum_{i=1}^N Q X_i^2 \right) - N \left(\sum_{i=1}^N Q X_i \right) \left(\sum_{i=1}^N Q X_i Y_i \right)}{N \left(\sum_{i=1}^N Q X_i^2 \right) - \left(\sum_{i=1}^N Q X_i \right)^2},$$

the lower limit of the compressed file size is set as $k(aX+b)$, wherein $0 < k < 1$.

Art Unit: 2622

Regarding claim 5 (Renumbered as 4), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest, including all the elements of the present claim, a means for calculating a lower limit value of a compressed file size wherein the lower limit value of the compressed file size corresponds to a focus value of the object at a compression rate and a resolution set by a user; and a means for determining that the amount of exposure is not appropriate and shakiness is present when the size of a compressed file of image data obtained from the photographing of the object is smaller than the lower limit value of the compressed file size.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 9:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez
Examiner
Art Unit 2622

NDHH
October 24, 2007

A handwritten signature in black ink, appearing to read 'Lin Ye', with a stylized flourish extending to the right.

LIN YE
SUPERVISORY PATENT EXAMINER